

FILED
2005 NOV -9 P 12:06
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Raul Gonsalves,
Petitioner,

v.

Michael Thompson, et al.,
Respondent.

No.05-10618-RCL

Renewed Motion For Expedited Decision

Now comes the Petitioner, Raul P. Gonsalves, Pro se, and hereby requests this Honorable Court to hear his case on an expedited basis.

This is the Petitioner's second request for expedited decision. Enclosed is a copy of the first request along with the Judge's order denying the Motion WITHOUT PREJUDICE.

The reason for the Petitioner's renewed Motion for Expedited Decision is that he is pro se and has been orderd deported to Portugal on October 27th, 2005. (see enclosed copy of REMOVAL ORDER). Once the Petitioner is removed from the U.S. he will no longer have access to U.S. laws and procedures and will not be able to pursue his claims.

The basis for the Petitioner's deportation is the conviction now being attacked which is believed to be obtained in violation of the 4th, 6th, and 14th Amendments of the United States Constitution.

The Petitioner requests that in the interest of justice this Honorable Court expedite the decision in his case.

Respectfully Submitted,

Raul Gonsalves

November 7th, 2005

Raul P. Gonsalves, Pro Se
Bristol County House of Correction
400 Faunce Corner Road
North dartmouth, MA 02747

CERTIFICATE OF SERVICE

I, Raul P. Gonsalves, hereby certify that on November 7th, 2005, I caused to be mailed, a copy of the Motion for Expedited decision to, Eva M. Badway, Assistant Attorney General, Attorney general's Office, One Ashburton Place, Boston, MA 02108, attorney of record for the Respondent, by first class mail, postage prepaid, via first class mail.

Raul Gonsalves

Raul P. Gonsalves
Bristol County House of Correction
400 Faunce Corner Road
North dartmouth, MA 02747

UNITED STATES IMMIGRATION COURT
JFK FEDERAL BLDG., ROOM 320
BOSTON, MA 02203-0002

IN THE REMOVAL CASE OF
AS-GONCALVES-PEREIRA, RAUL
RESPONDENT

CASE NO.: A34-282-192

ORDERS

- ☒ This is a memorandum of the Court's Decision and Orders entered on 10/27/05. This memorandum is solely for the convenience of the parties. The oral or written Findings, Decision and Orders is the official opinion in this case. ☐ Both parties waived issuance of a formal oral decision in the case.
- ☒ The respondent was ordered REMOVED from the United States to Portugal ☐ in absentia.
- ☐ Respondent's application for VOLUNTARY DEPARTURE was DENIED and respondent was ordered removed to _____, in the alternative to _____.
- ☐ Respondent's application for VOLUNTARY DEPARTURE was GRANTED until _____, upon posting a voluntary departure bond in the amount of \$ _____ to INS within five business days from the date of this Order, with an alternate Order of removal to _____ or _____. Respondent shall present to INS within ☐ thirty days ☐ sixty days from the date of this Order, all necessary travel documents for voluntary departure.
- ☐ Respondent's application for ASYLUM was ☐ granted ☐ denied ☐ withdrawn with prejudice.
☐ subject to the ANNUAL CAP under the INA section 207(a)(5).
☐ Respondent knowingly filed a FRIVOLOUS asylum application.
- ☐ Respondent's application for WITHHOLDING of removal under INA section 241(b)(3) was ☐ granted ☐ denied ☐ withdrawn with prejudice.
- ☐ Respondent's application for WITHHOLDING of removal under the Torture Convention was ☐ granted ☐ denied ☐ withdrawn with prejudice.
- ☐ Respondent's application for DEFERRAL of removal under the Torture Convention was ☐ granted ☐ denied ☐ withdrawn with prejudice.
- ☐ Respondent's application for CANCELLATION of removal under section ☐ 203(b) of NACARA, ☐ 240A(a) ☐ 240A(b)(1) ☐ 240A(b)(2) of the INA, was ☐ granted ☐ denied ☐ withdrawn with prejudice. If granted, it was ordered that the INS issue all appropriate documents necessary to give effect to this Order. Respondent ☐ is ☐ is not subject to the ANNUAL CAP under INA section 240A(a).
- ☐ Respondent's application for a WAIVER under the INA section _____ was ☐ granted ☐ denied ☐ withdrawn or ☐ other _____. ☐ The conditions imposed by INA section 216 on the respondent's permanent resident status were removed.
- ☐ Respondent's application for ADJUSTMENT of status under section _____ of the ☐ INA ☐ NACARA ☐ _____ was ☐ granted ☐ denied ☐ withdrawn with prejudice. If granted, it was ordered that INS issue all appropriate documents necessary to give effect to this Order.

RVG

CASE NUMBER: 34-282-192

RESPONDENT: *S-GONCALVES-PEREIRA, RAUL

- ☐ Respondent's status was RESCINDED pursuant to the INA section 246.
- ☐ Respondent's motion to WITHDRAW his application for admission was
☐ granted ☐ denied. If the respondent fails to abide by any of
the conditions directed by the district director of INS, then the
alternate Order of removal shall become immediately effective without
further notice or proceedings: the respondent shall be removed from
the United States to _____.
- ☐ Respondent was ADMITTED as a _____ until
_____. As a condition of admission, the respondent was
ordered to post a \$ _____ bond.
- ☐ Case was ☐ TERMINATED ☐ with ☐ without prejudice
☐ ADMINISTRATIVELY CLOSED.
- ☐ Respondent was orally advised of the LIMITATION on discretionary
relief and consequences for failure to depart as ordered.
- ☐ If you fail to voluntarily depart when and as required, you shall
be subject to civil money penalty of at least \$1,000, but not more than
\$5,000, and be ineligible for a period of 10 years for any further
relief under INA sections 240A, 240B, 245, and 248 (INA Section 240B(d)).
- ☐ If you are under a final order of removal, and if you willfully fail
or refuse to 1) depart when and as required, 2) make timely application
in good faith for any documents necessary for departure, or 3) present
yourself for removal at the time and place required, or, if you conspire
to or take any action designed to prevent or hamper your departure, you
shall be subject to civil money penalty of up to \$500 for each day under
such violation. (INA section 274D(a)). If you are removable pursuant
to INA 237(a), then you shall further be fined and/or imprisoned for up
to 10 years. (INA section 243(a)(1)).
- ☐ Other: _____

Date: Oct 27, 2005

LEONARD I. SHAPIRO, Judge

APPEAL: ☐ waived ☒ reserved by ☒ Respondent ☐ INS ☐ Both

DUE BY: 11/28/05

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: ☐ MAIL ☒ PERSONAL SERVICE

TO: ☒ INS ☒ ALIEN ☐ Alien's ATT/REP ☐ ALIEN c/o Custodial Officer

DATE: 10-27-05 BY: ☐ COURT STAFF ☒ JUDGE

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Y2